

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

E-FILED

CRIMINAL MINUTES - JURY TRIAL

**Judge: James Ware
Date: August 8, 2008
Case No: CR-08-0156 JW**

**Courtroom Deputy: Elizabeth Garcia
Court Reporter: Lee-Anne Shortridge
Interpreter: N/A**

TITLE

USA v. Steven Rodriguez (C)
Attorney(s) for Plaintiff(s): Jeff Schenk, Richard Cheng
Attorney(s) for Defendant(s): Cynthia Lie

PROCEEDINGS

Jury Deliberations and Verdict

ORDER AFTER HEARING

Jury deliberations began at approx. 9:00 AM. The Court held a hearing outside the presence of the Jury Note No. 7 (approx. 10:05 AM). The Defendant present and in custody for proceedings. The jury sent out Jury Note No. 8 during the proceedings. The Court summoned the jury into the courtroom for further instructions by the Court (approx. 10:40 AM). The Court developed a Supplemental instruction to further address Jury Notes No. 7. The jury was dismissed to continue deliberations and Supplemental Instruction No. 3 was sent to the jury (approx. 10:41 AM). The Court continued further hearing on the record outside the presence of the jury re Jury Note No. 8 (end approx. 11:13 AM). The Court summoned the jury and gave a the jury supplemental instruction No. 4. The jury was dismissed for further deliberations throughout the lunch hour. The Court recessed for lunch pending the jury deliberations (end approx. 12:05 PM).

The jury sent out Jury Note No. 10, counsel for both sides were summoned, and the defendant was called to be present for proceedings. The Court held discussion with counsel re Jury Note No. 10 and further instruction to the jury (approx 1:35 PM, end approx 2:02 PM). The Court developed supplemental instruction No. 5 and published it to counsel and the jury (approx. 2:15 PM). The Court recessed pending jury deliberations.

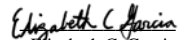
The jury sent out Jury Note No. 11. Counsel was notified, defendant summoned for hearing on the record. The Court summoned the jury re Jury Note No. 11 and voir dire the foreperson re note and if further instructions from the Court would be beneficial (approx. 3:20 PM). The Court excused the jury for further deliberations, the Court held a further hearing outside the presence of the jury re Jury Note No. 11 and further instruction by the Court (end approx. 3:30 PM). The Court re-summoned the jury for further instructions and then dismissed the jury for further deliberations (end approx. 3:55 PM). The jury issued a note re verdict (approx. 4:00 PM). The Court summoned the jury to enter the verdict. The Clerk read the verdict for the record. The jury reached a unanimous verdict of not guilty as to Counts One and Two of the Indictment. The Government asked to poll the jury. The jury was polled. The Court found the verdict unanimous. The Defendant to be released from custody. The Clerk to prepare Judgment of Acquittal.

Whereupon the trial proceedings concluded (end approx. 4:15 PM).

Exhibits Into Evidence (submitted to jury for deliberations on 8/6/2008):

Govt: #'s 1, 2, 3, 4, 5, 6, 8 (custody remains with Govt. The Govt is on call to produce exhibit for the jury when needed), 9A - E (custody remains with Govt. The Govt is on call to produce exhibit for the jury when needed)

Def: #21


Elizabeth C. Garcia
Courtroom Deputy
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